



REPLY TO  
ATTENTION OF:

## DEPARTMENT OF THE ARMY

U.S. ARMY AERONAUTICAL SERVICES AGENCY  
9325 GUNSON ROAD, SUITE N319  
FORT BELVOIR, VA 22060-5582

August 6, 2001

Office of the Director

Mr. Tony Fazio  
Office of Rulemaking  
HQ FAA/ARM-1  
800 Independence Avenue, SW  
Washington, DC 20591

Dear Mr. Fazio,

We request that the United States Army Special Operations Command (USASOC), 160<sup>th</sup> Special Operations Aviation Regiment (160<sup>th</sup> SOAR) be exempted from §§ 91.177 (a) (2) and 91.179 (b) (1) of Title 14, Code of Federal Regulations (14 CFR). This would allow properly equipped USASOC aircraft to conduct low-level operations without complying with en route minimum altitudes for flight under instrument flight rules (IFR) or direction of flight requirements for IFR en route segments in uncontrolled airspace.

Currently Federal Aviation Regulations (FAR) require USASOC to comply with altitude restrictions and file on military training routes (MTR) in order to conduct terrain following/terrain avoidance (TF/TA) training. Requirements to fly on MTRs are for the control and separation of military aircraft from civilian air traffic. These requirements do not allow USASOC (160<sup>th</sup> SOAR) to train as the unit would fly during actual combat missions. Flying the aircraft at the required altitudes in accordance with the FAR does not expose the aircrews to the demanding modes of low altitude (100 feet) flight, the actual flight profile for using TF/TA. Military aircrews must be proficient and confident in the TF/TA system capabilities to accomplish missions safely.

If the exemption is granted, training and operations would be conducted under the following conditions and limitations:

a. Operations would be conducted at an altitude of at least 250 feet (with Terrain Following/Terrain Avoidance Radar Systems (TF/TA)) above the highest obstacle along the route of flight or 500 feet (without TF/TA) above the highest obstacle within 3 nautical miles of the course to be flown over mountainous and other areas. Rotary-wing operations would be conducted at an altitude of at least 100 feet (with TF/TA) above the highest obstacle along the route of flight.

b. A letter of agreement (LOA) detailing the procedural requirements for operations would be established between the 160<sup>th</sup> SOAR and the air traffic control facility with jurisdiction over the airspace of the route segment.

c. Operations in Class G airspace will be conducted only if procedures have been established in an LOA that include the § 91.126 (d), "Communications with Control Towers," requirements.

d. The LOA would include the following information:

- (1) The route definition in geographical coordinates and the maximum route width;
- (2) A route alignment that avoids Class B airspace;
- (3) A route alignment that minimizes disturbances to persons and property on the ground;
- (4) Provisions for military aircraft to flight check approved routes to ensure compliance with all provisions;
- (5) The maximum altitude for all route segments;
- (6) Radar flight following or position reporting procedures, as applicable;
- (7) Provisions for lost communications procedures; and
- (8) The procedures whereby aircraft that are unable to continue the mission under the conditions of the exemption will comply with the route and altitude requirements of Part 91.

e. A Notice to Airmen (NOTAM) concerning the operations conducted under the exemption will be issued and in effect at least 6 hours prior to conducting operations. The NOTAM will be issued regardless of the actual or forecast weather conditions along the route segment for which the exemption is exercised. The NOTAM will include at least the following information:

- (1) The name of the city or town nearest the route segment, and the State;
- (2) The date and time period of the planned activity;
- (3) The number and type of aircraft expected on the route;
- (4) The ingress and egress points of the route segment expressed in fix/radial/distance from a very high frequency omnidirectional range (VOR); and
- (5) The altitude at which the aircraft will be flown.

f. The maximum route length will be 40 nautical miles.

g. Any environmental assessments associated with operations conducted under this exemption are the responsibility of the US Army.

USASOC aircraft and crews are equipped and trained extensively in advanced technologies and techniques that will enable them to comply with all the requirements listed above.

Point of contact for this action is LTC Paul Gillick, Army Representative at Headquarters FAA, at (202) 267-9429.

Sincerely,

Charles H. Dove  
Colonel, U.S. Army  
Director